

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87775 of 2025

Arising Out of PS. Case No.-865 Year-2025 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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Kanhai Chaudhary S/o Late Rameshwar Chaudhary R/o Village- Koilwan
(Pasi tola), Raghunath Bigha, P.S- Haspura, Dist- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Adarsh Singh, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No.865 of 2020, F.I.R dated 08.07.2020 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 07.09.2020, the police went to raid the house of Kanhai Chaudhary. On seeing the police, he ran away. The police then searched his house and recovered 62.6 litres of illicit country-made mahua liquor. Based on this recovery, an FIR was registered.

4. Learned counsel for the petitioner submits that the recovery is said to have been made from the house of the petitioner which is a joint family property but the petitioner is in no way connected with the seized articles and is a man of means



and is earning his livelihood by rendering labour services. It is further submitted that the petitioner has three criminal antecedent akin to the instant case but he is on bail in all the said cases.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court No.II, Aurangabad, in connection with Excise P.S. Case No.865 of 2020, subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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